

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
CASE NO. 23-CR-80101-AMC-2

UNITED STATES OF AMERICA,)	PAGES: 1 - 11
)	
PLAINTIFF(S) ,)	
)	DATE OF PROCEEDINGS:
VS.)	JULY 31, 2023
)	
)	COURTROOM #5
DONALD J. TRUMP,)	JAMES LAWRENCE KING
WALTINE NAUTA, AND)	FEDERAL JUSTICE
CARLOS DE OLIVEIRA,)	BUILDING.
)	
DEFENDANT(S) .)	

TRANSCRIPT OF OFFICIAL ELECTRONIC SOUND RECORDING
OF THE INITIAL APPEARANCE OF CARLOS DE OLIVEIRA
BEFORE THE HONORABLE EDWIN G. TORRES,
UNITED STATES CHIEF MAGISTRATE JUDGE, AT
99 N.E. FOURTH STREET, MIAMI, FLORIDA, 33132.

APPEARANCES

FOR THE GOVERNMENT: JAY I. BRATT, ESQ.,
MICHAEL THAKUR, ESQ.
U.S. DEPARTMENT OF JUSTICE
950 PENNSYLVANIA AVENUE NW
WASHINGTON, DISTRICT OF COLUMBIA 20530

FOR THE DEFENDANT(S) : JOHN IRVING, ESQ.
WASHINGTON, DISTRICT OF COLUMBIA

Transcribed By:
Quanincia S. Hill, Registered Professional Reporter
Federal Official Court Reporter
400 North Miami Avenue
Miami, Florida 33128

1 (Whereupon, this commences the transcription of the
2 electronic recording of the above-styled proceedings.)

3 **THE COURTROOM DEPUTY:** Calling case *United States*
4 *versus Carlos De Oliveira*, case number 23-80101, criminal.
5 Judge Cannon for superseding.

6 Counsels, your appearances for the record.

7 **AUSA BRATT:** Good morning, Your Honor. Jay Bratt and
8 Michael Thakur from the Special Counsel's Office on behalf of
9 the United States.

10 **THE COURT:** Good morning.

11 **DEFENSE ATTORNEY IRVING:** Good morning, Your Honor.
12 John Irving. I'm out-of-town counsel for Mr. De Oliveira.

13 **THE COURT:** Oh. You're appearing from?

14 **DEFENSE ATTORNEY IRVING:** From Washington, DC.

15 **THE COURT:** Very good.

16 **DEFENSE ATTORNEY IRVING:** On behalf of Mr. De Oliveira.

17 **THE COURT:** Good morning to you.

18 And also with you is.

19 **DEFENSE ATTORNEY IRVING:** Mr. De Oliveira.

20 **THE COURT:** Mr. De Oliveira, if you'll stand and go to
21 the lectern, please.

22 **THE DEFENDANT:** Good morning.

23 **THE COURT:** Good morning, sir.

24 Your full name for me.

25 **THE DEFENDANT:** Carlos De Oliveira.

1 **THE COURT:** Mr. De Oliveira, you're before the Court
2 pursuant to a superseding indictment returned by the grand jury
3 in this district. The grand jury is alleging that you and
4 others engaged in violations of federal law, specifically in
5 your case, involving conspiracy to obstruct justice, altering
6 or concealing objects subject to federal law, corruptly
7 altering or mutilating or concealing documents, and making
8 false statements and representations to federal law enforcement
9 authorities, all in violation of federal law as set forth in
10 the superseding indictment.

11 In response to these allegations, you have a right to
12 remain silent, and anything you say may be used against you.
13 And you have the right to have a lawyer represent you and
14 defend you in the case.

15 Do you understand all of that, Mr. De Oliveira?

16 **THE DEFENDANT:** Yes, sir.

17 **THE COURT:** And I understand that counsel -- is
18 counsel, Mr. Irving, is entering a temporary appearance at this
19 point?

20 **DEFENSE ATTORNEY IRVING:** If the Court would allow me.
21 I wasn't sure what the process was. We are in the process of
22 ascertaining local counsel.

23 **THE COURT:** Okay. Under the circumstances, I would --
24 we normally have to have local counsel appear. But for
25 purposes of an initial, I would certainly grant and *ore tenus*

1 request to appear on his behalf at this point.

2 **DEFENSE ATTORNEY IRVING:** Thank you.

3 **THE COURT:** Okay. Government's position on bond for
4 Mr. De Oliveira.

5 **AUSA BRATT:** Your Honor, we requested personal
6 recognizance. We also would like the Court to impose the same
7 special condition that Magistrate Goodman imposed, Magistrate
8 Judge Goodman, imposed on the other two defendants, that is
9 Trump and Nauta. I can give the Court the language.

10 **THE COURT:** Yes. You'll have to remind me. I'm sorry.

11 **AUSA BRATT:** Sure. Actually, I have Mr. Nauta's bond
12 here. If I could proffer to the Court, it's number -- Letter V
13 on Page 4.

14 **THE COURTROOM DEPUTY:** Counsel, you need to stand at
15 the microphone so we can hear you.

16 **AUSA BRATT:** Yes. Sorry. I have -- it may be easier
17 if I just brought up to the Court Mr. Nauta's bond.

18 **THE COURT:** Okay.

19 **AUSA BRATT:** It is the condition, Special Condition V
20 on Page 4, which has the language.

21 **THE COURT:** Okay. If you'll hand that up to.

22 **DEFENSE ATTORNEY IRVING:** Your Honor, we have no
23 objection.

24 **THE COURT:** I was just about to ask. Any objection to
25 that particular condition?

1 **DEFENSE ATTORNEY IRVING:** No, sir.

2 **THE COURT:** All right. I don't do personal
3 recognizance bonds. And so since there's no objection to a
4 bond from the part of the Government, given the nature of the
5 allegations, I would normally set a hundred thousand dollar
6 personal surety bond.

7 So that's -- is there any objection to that amount?
8 Obviously, he doesn't have to front the money.

9 **DEFENSE ATTORNEY IRVING:** Your Honor, Mr. De Oliveira
10 does not -- simply doesn't have that kind of money is my
11 understanding.

12 **THE COURT:** Oh, I know. But he doesn't have to front
13 it. In other words, it's just a signature bond.

14 And I understand he owns property, is that right, in
15 Palm Beach Gardens?

16 **DEFENSE ATTORNEY IRVING:** I don't own.

17 **THE COURT:** Are you renting that apartment?

18 **THE DEFENDANT:** That is correct.

19 **THE COURT:** Okay. All right. So what I'll do is I'll
20 enter a hundred thousand dollar personal surety bond to be
21 signed by Mr. De Oliveira.

22 As a condition of that bond, then you are to report to
23 Pretrial Services as directed by Pretrial Services in the
24 Southern District of Florida.

25 Do you have any types of passports or travel documents,

1 Mr. De Oliveira?

2 **THE DEFENDANT:** I have a passport that is expired.

3 **THE COURT:** Is that a Portuguese passport?

4 **THE DEFENDANT:** No. It's American passport.

5 **THE COURT:** American passport. You're a U.S. citizen?

6 **THE DEFENDANT:** Yes, sir.

7 **THE COURT:** Okay. Okay.

8 Okay. I'll give you 48 hours to turn over that
9 passport to Pretrial Services who will retain it for you
10 pending the duration of your case.

11 You're to report to any court proceedings as required.

12 Your travel's restricted to the South Florida area.

13 Any travel outside the district must be approved by the Court
14 in advance.

15 In addition, what was it, Condition 4?

16 **AUSA BRATT:** It's V on page 4, Your Honor.

17 **THE COURT:** As in 'vinegar'?

18 **AUSA BRATT:** Yes. Sorry.

19 **THE COURT:** Okay. In addition, I will, without
20 objection, I will impose the same special condition of the
21 other defendants, specifically that you are not to have any
22 communication about the facts of this case with any of the fact
23 witnesses identified by the Government. And your lawyer will
24 be apprized of who those witnesses will be. And you may not
25 have any communication regarding the case except through

1 counsel.

2 Do you understand that, Mr. De Oliveira?

3 **THE DEFENDANT:** Yes, sir.

4 **THE COURT:** No other conditions are necessary.

5 Do you understand all of those conditions and you're
6 prepared to abide by them?

7 **THE DEFENDANT:** Yes, sir.

8 **THE COURT:** Okay. Very well. I'll approve that bond
9 then.

10 With respect to status of arraignment for
11 Mr. De Oliveira, what's your pleasure, Mr. Irving, in terms of
12 setting that?

13 **DEFENSE ATTORNEY IRVING:** Your Honor, there -- I
14 believe there's a hearing in this matter in Fort Pierce on
15 August 25th.

16 **THE COURT:** Okay.

17 **DEFENSE ATTORNEY IRVING:** Might as well go ahead and do
18 this at that point.

19 **THE COURT:** It's probably a little too late because
20 it's -- I'm pretty sure, in fact, I know that the district
21 judge wants me to take care of or wants us to take care of the
22 superseding proceedings sooner than that.

23 **DEFENSE ATTORNEY IRVING:** Sure.

24 **THE COURT:** It doesn't have to be tomorrow though.

25 How about Thursday? Do you think that's enough time to

1 finalize matters with the defendant and with Florida counsel?

2 **DEFENSE ATTORNEY IRVING:** It this -- if we can push
3 that to the following week.

4 **THE COURT:** Okay.

5 **DEFENSE ATTORNEY IRVING:** So some time after the 13th.
6 It's a Sunday, if I got that right. The following week would
7 be helpful to me, personally. I don't know. I've got family
8 obligations. But I could whatever the Court needs.

9 **THE COURT:** Okay. Hold on one second.

10 All right. One of the issues I have, I can normally
11 set this for a proceeding in Fort Pierce, but I believe we may
12 have some conflicts. So let me check on that.

13 I had cleared a Thursday. So then you don't think,
14 realistically, that's possible because of a conflict that you
15 have?

16 **DEFENSE ATTORNEY IRVING:** Yes. It's a personal
17 conflict for me.

18 **THE COURT:** Okay. All right. So let me give you a
19 date. Hold on.

20 **DEFENSE ATTORNEY IRVING:** Yes, sir.

21 **THE COURT:** While I'm doing that, anything else that I
22 need to do other than set a date for follow up for the
23 arraignment for Mr. De Oliveira?

24 **AUSA BRATT:** Not for the Government, Your Honor.

25 I just want to put on the record that I have given

1 Mr. Irving the no-contact list that is the subject of the
2 special condition. And he indicated to me that he was sharing
3 with it his client.

4 **THE COURT:** Is that right, Mr. Irving?

5 **DEFENSE ATTORNEY IRVING:** That's right, Your Honor.
6 But I mean, I believe that was only for Mr. Nauta.

7 **AUSA BRATT:** No. That's for all parties.

8 **DEFENSE ATTORNEY IRVING:** No. But I'm saying the list.

9 **AUSA BRATT:** The list is for all parties.

10 **DEFENSE ATTORNEY IRVING:** Does it have Mr. Nauta on it?

11 **AUSA BRATT:** It does not. The defendants themselves
12 are not on the list.

13 **DEFENSE ATTORNEY IRVING:** Okay. Fair enough. Thank
14 you.

15 **THE COURT:** Would you prefer it in Miami, by the way,
16 Mr. Irving, for your purposes, or otherwise, Fort Pierce would
17 be appropriate for you?

18 **DEFENSE ATTORNEY IRVING:** It doesn't really matter.
19 Mr. De Oliveira lives in the West Palm area.

20 **THE COURT:** He lives in West Palm. So what I'll do is
21 this: I actually can confirm Thursday then, August 10th,
22 before the duty judge in the Fort Pierce Courthouse. That's
23 Judge Maynard. I believe she's available.

24 If for some reason that turns out to be -- I'm
25 incorrect, I will then issue a new order revising that either

1 for here or for another date in Fort Pierce. But I'm pretty
2 sure that that's going to work.

3 So for now, I'm going to set that at your request for
4 Thursday. That's August. What's the date on that, Maedon?

5 **THE COURTROOM DEPUTY:** August 10th.

6 **THE COURT:** Thursday, August 10th before the duty judge
7 in Fort Pierce.

8 **DEFENSE ATTORNEY IRVING:** Thank you. I appreciate the
9 accommodation.

10 **THE COURT:** Okay. All right. I believe they do duty
11 at I want to say 10:00. So I'll make it for 10:00. But pay
12 attention to the order. If the order changes the time,
13 obviously, if you'll accommodate that. Okay.

14 **DEFENSE ATTORNEY IRVING:** Yes, sir.

15 **THE COURT:** Okay. Anything further on this case?

16 **DEFENSE ATTORNEY IRVING:** No, Your Honor.

17 **AUSA BRATT:** Not from the Government, Your Honor.

18 **THE COURT:** Thank you very much.

19 (Whereupon, this concludes the transcription of the
20 electronic recording of the above-styled proceedings.)
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CERTIFICATE OF TRANSCRIBER

I certify that the foregoing pages represent a true and correct transcript, to the best of my ability, of the official electronic sound recording as provided to me by the U.S. District Court, Southern District of Florida, of the proceedings as taken on the date and time previously stated in the above matter.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was dictated, and further that I am not financially nor otherwise interested in the outcome of the above-entitled matter.

Date: Friday, August 4, 2023

/s/Quanincia S. Hill, RPR
Quanincia S. Hill, RPR
Federal Official Court Reporter
Southern District of Florida